

The House Committee on Judiciary Non-civil offers the following substitute to HB 429:

A BILL TO BE ENTITLED
AN ACT

To amend Code Section 19-13-4 of the Official Code of Georgia Annotated, relating to protective orders and consent agreements in family violence situations, so as to provide protection for family pets; to provide a definition; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Code Section 19-13-4 of the Official Code of Georgia Annotated, relating to protective orders and consent agreements in family violence situations, is amended by revising subsection (a) as follows:

"(a) The court may, upon the filing of a verified petition, grant any protective order or approve any consent agreement to bring about a cessation of acts of family violence. The court shall not have the authority to issue or approve mutual protective orders concerning paragraph (1), (2), (5), (9), or (11) of this subsection, or any combination thereof, unless the respondent has filed a verified petition as a counter petition pursuant to Code Section 19-13-3 no later than three days, not including Saturdays, Sundays, and legal holidays, prior to the hearing and the provisions of Code Section 19-13-3 have been satisfied. The orders or agreements may:

- (1) Direct the respondent to refrain from such acts;
- (2) Grant to a party possession of the residence or household of the parties and exclude the other party from the residence or household;
- (3) Require a party to provide suitable alternate housing for a spouse, former spouse, or parent and the parties' child or children;
- (4) Award temporary custody of minor children and establish temporary visitation rights;
- (5) Order the eviction of a party from the residence or household and order assistance to the victim in returning to it, or order assistance in retrieving personal property of the victim if the respondent's eviction has not been ordered;

- (6) Order either party to make payments for the support of a minor child as required by law;
- (7) Order either party to make payments for the support of a spouse as required by law;
- (8) Provide for possession of personal property of the parties;
- (9) Order the respondent to refrain from harassing or interfering with the victim;
- (10) Award costs and attorney's fees to either party; ~~and~~
- (11) Order the respondent to receive appropriate psychiatric or psychological services as a further measure to prevent the recurrence of family violence; and
- (12) Order the respondent to refrain from harming any family pet and further direct the care, custody, or control of any family pet. As used in this paragraph, the term 'family pet' means an animal kept for companionship and enjoyment or a household animal which is owned or possessed by either party, or a minor child residing in the household of either party, and shall not include livestock, laboratory animals, working animals, or sport animals which are kept for economic purposes."

SECTION 2.

All laws and parts of laws in conflict with this Act are repealed.